



The 2005 Legislature significantly strengthened Montana's tobacco-free school law by passing House Bill (HB) 643. By eliminating several exemptions, HB 643 ensured that our statewide tobacco-free law can now be applied effectively and consistently in all K-12 public schools in Montana. The improvements to the law will help protect our children's health from the dangers of tobacco use and secondhand smoke exposure. School districts all across the state now have the opportunity and responsibility to ensure that their school buildings and school properties are truly tobacco free.

#### **What It Means to be a Tobacco-Free School Under the Changes Made by HB 643**

Montana's statewide tobacco-free school law prohibits anyone from using tobacco products in a public school building or on any public school property, 24 hours a day, every day of the year. The law no longer applies just during school hours.

The prohibition applies not only to students, faculty, and administrators, but also to janitors, parents, school board members, sports fans, alumni, special guests, and anyone else setting foot in a school building or on any school property, at any time.

#### ***Here are some examples of what this means:***

- School officials can no longer set aside smoking areas for faculty or staff, or designate areas (like athletic fields or parking lots) as places where non-student adult smoking is allowed.
- Coaches can no longer be permitted to chew tobacco at summer football practices.
- Groundskeepers cannot be allowed to use tobacco while mowing campus lawns or removing snow from parking lots.
- A community group that uses a school building or any school property after school hours or during the summer must ensure that no one with their group uses tobacco anywhere on the school property.

#### ***The law allows just two exemptions:***

- 1) Tobacco products may be used on school property if they are part of a teacher or administration sanctioned educational lesson about the risks of tobacco use.
- 2) Tobacco may be allowed on school property if it is used as part of an American Indian cultural activity in accordance with the American Indian Religious Freedom Act.\*

School principals or their designees are expected to ensure that the tobacco-free school law is clearly in place and followed at their school(s). Enforcement should be a collaborative effort among superintendents, principals, local law enforcement, local public health boards, community tobacco prevention organizations, and the Montana Department of Public Health and Human Services.

**All schools must implement the changes made to the tobacco-free school law no later than October 1, 2005, the date HB 643 becomes law.** However, advertising and announcing that your school will be tobacco free at the start of the 2005-2006 school year makes good sense, and may be easier then waiting until October to implement the changes.